

U.S. Department of Homeland Security

AUG 13

The Honorable John Conyers, Jr.
Ranking Minority Member
Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Conyers:

Thank you for your letter expressing concerns regarding the potential impact that a recent decision by the Surface Transportation Board (STB) may have on the residents of southeastern Michigan. In your correspondence, you mentioned that the STB's decision to allow the Riverview Trenton Railroad Company (RTR) to operate an intermodal terminal on the banks of the lower Detroit River might create new security risks. We have recently completed our review of this matter. Please allow me to outline our findings.

The STB decision of May 9, 2003, authorized RTR to acquire and operate a line of railroad in Wayne County, Michigan. During the review process, the STB addressed security concerns similar to the ones that you have raised and concluded that there were no security concerns related to RTR's proposed intermodal terminal that were separate and distinct from homeland security issues faced by all railroads. The STB further indicated that RTR is legally bound to comply with all safety measures adapted by the Federal agencies and that the statutory requirements of these agencies apply to RTR just as they apply to all other railroads.

By working with the STB, RTR has complied with all necessary requirements to operate its intermodal site in Wayne County. Currently, RTR is engaged in domestic commerce only and, as a result, is exempt from the direct scrutiny of the Bureau of Customs and Border Protection (CBP). The U.S. Coast Guard, however, which is the lead agency for the security of our Nation's waterways, has initiated "Operation River Watch" in the Detroit area to increase public awareness of suspicious activity and encourages the public to report such activity to law enforcement. A toll free number and a VHF radio channel have been established to report suspicious activity to first responders stationed along the border. This is just one example of the many actions that are being taken to help secure Detroit's border area.

Let me assure you that the Department of Homeland Security is making unprecedented progress in America's war on terrorism. We will continue to assess our operations and make the changes necessary that will help ensure that all residents of our great country remain safe.

I appreciate your interest in the Department of Homeland Security and we look forward to working with you on future homeland security issues. If we may be of further assistance, please contact the Office of Legislative Affairs at (202) 205-4412.

Sincerely,

A handwritten signature in cursive script, appearing to read "Pam Turner".

Pamela J. Turner
Assistant Secretary for Legislative Affairs